

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
WESTPANET, Inc.)	File No. EB-10-PA-0106
Physical System ID # 009372)	
Clarendon, Pennsylvania)	NOV No. V201032400039

NOTICE OF VIOLATION

Released: April 30, 2010

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (“Notice”) issued pursuant to Section 1.89 of the Commission’s Rules¹ to WESTPANET, Inc., operator of a cable system in Clarendon, Pennsylvania.
2. On April 21, 2010, an agent of the Commission’s Philadelphia Office monitored WESTPANET’s cable television system in the Clarendon, Pennsylvania area, and observed the following violation:

47 C.F.R. § 76.605(a)(12): “As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in 76.609(h) and shall be limited as follows: Over 54 MHz up to and including 216 MHz. 20 micro-volts per meter, measured at 3 meters. ” At the time of the inspection, the agent measured signal leakage in excess of 20 µV/m on the frequency of 121.2625 MHz at the following locations:

Date	Frequency (MHz)	Signal Strength (µV/m)	Location
4/21/10	121.2625	78	Rt. 6 and Rezelle Lane, Clarendon, PA 41 47 50N/079 06 07W
4/21/10	121.2625	294	Rt. 6 at 35 MPH speed sign Clarendon, PA 41 47 03N/079 05 56W
4/21/10	121.2625	1050	Off Rt. 6 High St. & Post Office Alley Clarendon, PA 41 46 48N/079 05 33W
4/21/2010	121.2625	213	Rt. 6 East of Ludlow 41 43 32N/078 56 02W

¹47 C.F.R. § 1.89.

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3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, WESTPANET must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the WESTPANET, Inc. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Philadelphia District Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to WESTPANET, Inc. at its address of record.
5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Gene J. Stanbro
District Director
Philadelphia District Office
Northeast Region
Enforcement Bureau

²47 U.S.C. § 403.

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*